

## Message Text

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14

ACTION EB-07

INFO OCT-01 EA-09 NEA-10 ISO-00 FEA-01 ACDA-10 AGR-10

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-02 OFA-01

COME-00 DLOS-04 DODE-00 DOTE-00 EPA-04 ERDA-07 FMC-02

TRSE-00 H-02 INR-07 INT-05 IO-11 JUSE-00 L-03 NSAE-00

NSC-05 NSF-02 OES-05 OMB-01 PA-02 PM-04 PRS-01 SP-02

SS-15 USIA-15 SAL-01 /156 W  
----- 000794

R 100614Z FEB 76

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 3928

INFO AMEMBASSY BANGKOK

AMEMBASSY CANBERRA

AMEMBASSY COLOMBO

AMEMBASSY JAKARTA

AMEMBASSY KARACHI

AMEMBASSY RANGOON

AMEMBASSY WELLINGTON

AMCONSUL BOMBAY

AMCONSUL CALCUTTA

AMCONSUL HONGKONG

AMCONSUL KUALA LUMPUR

AMCONSUL MADRAS

AMCONSUL SINGAPORE

CMDR USCG WASHDC

UNCLAS NEW DELHI 2020

E.O. 11652:N/A

TAGS: CASC IN EMWT XX PLOS

SUBJECT: MERCHANT VESSEL WARNING INFORMATION-RECENT GOI CIRCULAR NOTE

REF: 75 STATE A-7587

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1. LAST AUGUST THE EMBASSY RECEIVED A CIRCULAR NOTE FROM

THE MINISTRY OF EXTERNAL AFFAIRS ALLEGING A "SHARP INCREASE IN RECENT TIMES IN THE NUMBER OF VIOLATIONS OF INDIA'S TERRITORIAL WATERS BY FOREIGN VESSELS ESPECIALLY IN THE ANDAMAN AND NICOBAR GROUP OF ISLANDS." THE NOTE WENT ON TO DESCRIBE INDIAN REGULATIONS BEARING ON ENTRY IN THESE WATERS AND REQUESTED LOCAL DIPLOMATIC AND CONSULAR MISSIONS TO BRING THESE REGULATIONS TO THE NOTICE OF ALL CONCERNED "FOR STRICT COMPLIANCE." THE MINISTRY NOTE (DATED AUGUST 4, 1975 AND BEARING NO. AA/120/21/74) WAS CONVEYED BACK TO WASHINGTON (INCLUDING SECSTATE) THROUGH DAO CHANNELS ON SEPTEMBER 2, 1975 (IR 68440152 75).

2. IN VIEW OF REPAIRGRAM AND THE FACT THAT SEVERAL PRIVATE YACHTSMEN HAVE RECENTLY EXPERIENCED DETENTIONS IN THIS GROUP OF ISLANDS (E.G., COLOMBO A-2 NOTAL), THE GOI NOTE SHOULD PROPERLY RECEIVE WIDER DISSEMINATION. IT IS THEREFORE QUOTED BELOW (COMPLIMENTARY CLOSE OMITTED):

3. QUOTE. THE MINISTRY OF EXTERNAL AFFAIRS PRESENTS ITS COMPLIMENTS TO FOREIGN DIPLOMATIC AND CONSULAR MISSIONS IN NEW DELHI AND HAS THE HONOUR TO STATE THAT THE GOVERNMENT OF INDIA HAS NOTICED A SHARP INCREASE IN RECENT TIMES IN THE NUMBER OF VIOLATIONS OF INDIA'S TERRITORIAL WATERS BY FOREIGN VESSELS SPECIALLY IN THE ANDAMAN AND NICOBAR GROUP OF ISLANDS. IN A NUMBER OF CASES THE ANDAMAN AUTHORITIES HAVE HAD TO RESORT TO FIRING AND IN SOME CASES FIRE HAS BEEN RETURNED. THIS HAS NATURALLY CAUSED CONCERN TO THE GOVERNMENT OF INDIA. ON MOST OCCASIONS THE SHIPS AND THEIR CREW HAVE BEEN SUBSEQUENTLY RELEASED FOLLOWING THE INTERVENTION OF THE GOVERNMENT OF INDIA.

SINCE IT IS LIKELY THAT FOREIGN VESSELS OPERATING IN THAT REGION MAY NOT BE CLEAR ABOUT THE REGULATIONS ON THE SUBJECT, THE POSITION IS EXPLAINED BELOW FOR THE INFORMATION AND GUIDANCE OF ALL FOREIGN DIPLOMATIC AND CONSULAR MISSIONS IN INDIA:

(I) AS REGARDS INDIAN TERRITORIAL WATERS IN GENERAL, THERE ARE NO FORMAL ORDERS AS SUCH REGULATING UNCLASSIFIED

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INNOCENT PASSAGE THROUGH THEM. GOVERNMENT OF INDIA GENERALLY CONFORMS TO THE PROVISIONS OF THE GENEVA CONVENTION ON TERRITORIAL SEAS AND CONTIGUOUS ZONES. IN SO FAR AS THE PASSAGE OF WARSHIPS IS CONCERNED, PRIOR NOTIFICATION TO AND PERMISSION OF THE GOVERNMENT OF INDIA IS NECESSARY;

(II) IN THE TERRITORIAL WATERS AROUND ANDAMAN AND

NICOBAR ISLANDS,  
ENTRY OF ALL FOREIGN VESSELS HAS BEEN TEMPORARILY SEALED OFF FOR  
SECURITY REASONS. THE RELEVANT NOTICE NO. 4A/75 ISSUED TO MARINERS  
IS REPRODUCED BELOW FOR INFORMATION:

"THE UNION TERRITORY OF ANDAMAN AND NICOBAR ISLANDS  
IS SEALED OFF TO ALL FOREIGNERS EXCEPTING WHEN THE  
VISIT OF A FOREIGNER TO THESE ISLANDS IS AT THE INSTANCE  
OF A GOVERNMENT AGENCY AND IN THE INTEREST OF GOVERNMENT  
WORK. IT IS NOTIFIED FOR GENERAL INFORMATION THAT THE  
TERRITORIAL SEA SURROUNDING THE UNION TERRITORY OF  
ANDAMAN AND NICOBAR ISLANDS IS SEALED OFF TEMPORARILY  
UNTIL FURTHER ORDERS TO ALL FOREIGN VESSELS OF WHATEVER  
DESCRIPTION FOR REASONS OF SECURITY, EXCEPTING VESSELS  
IN URGENT DISTRESS."

ALL FOREIGN DIPLOMATIC AND CONSULAR MISSIONS ARE  
REQUESTED TO KINDLY BRING THE ABOVE REGULATIONS TO THE  
NOTICE OF ALL CONCERNED FOR STRICT COMPLIANCE. END  
QUOTE.

4. THE EMBASSY ASSUMES THAT THE NOTICE TO MARINERS 4A/75  
REFERRED TO IN THE BODY OF THE NOTE HAS ALSO BEEN  
COMMUNICATED TO HOST GOVERNMENTS THROUGH CHANNELS  
MAINTAINED BY INTERNATIONAL HYDROGRAPHIC BUREAU  
HEADQUARTERED AT MONACO.SAXBE

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW OF THE SEA, SHIP DETENTION, TERRITORIAL WATERS VIOLATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 10 FEB 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976NEWDE02020  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760050-0102  
**From:** NEW DELHI  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Legacy Key:** link1976/newtext/t19760264/aaaacdzy.tel  
**Line Count:** 141  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EB  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 STATE A-7587  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 08 SEP 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <08 SEP 2004 by meiwc>; APPROVED <08 SEP 2004 by ShawDG>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** MERCHANT VESSEL WARNING INFORMATION-RECENT GOI CIRCULAR NOTE  
**TAGS:** CASC, PLOS, EWWT, IN, XX  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006